

FILED

August 26, 2022

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

BY: Jennifer Clark
DEPUTY

NCS MULTISTAGE INC.,
NCS MULTISTAGE, LLC,

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Plaintiffs,

vs.

CIVIL ACTION NO. 6:20-cv-00622-ADA

TCO AS,

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Defendant.

JURY VERDICT FORM

When answering the following questions and filling out this Verdict Form, please follow the directions provided throughout the form. Your answer to each question must be unanimous. Some of the questions contain legal terms that are defined and explained in detail in the Jury Instructions. Please refer to the Jury Instructions if you are unsure about the meaning or usage of any legal term that appears in the questions below.

As used herein:

“NCS” means Plaintiffs NCS Multistage Inc. and NCS Multistage, LLC

“TCO AS” means Defendant TCO AS

“‘445 Patent” means U.S. Patent No. 10,465,445.

We, the jury, unanimously agree to the answers to the following questions and return them as our verdict in this case:

I. Induced Infringement

Directions - Question No. 1

In answering the Questions below, please mark either "Yes" or "No" for each TDP-PO device for each listed asserted claim.

Question No. 1: Has NCS proven by a preponderance of the evidence that TCO AS has induced infringement of the following asserted claims of the '445 Patent?

"Yes" is a finding for NCS. "No" is a finding for TCO AS.

TDP-PO 544x388

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

TDP-PO 555x388

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

TDP-PO 588x426

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

TDP-PO 650x480

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

TDP-PO 709x477

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

TDP-PO 775x516

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

_____ _____
_____ _____

Please proceed to Question No. 2.

II. Contributory Infringement

Directions - Question No. 2

In answering the Questions below, please mark either "Yes" or "No" for each TDP-PO device for each listed asserted claim.

Question No. 2: Has NCS proven by a preponderance of the evidence that TCO AS has contributed to infringement of the following asserted claims of the '445 Patent?

"Yes" is a finding for NCS. "No" is a finding for TCO AS

TDP-PO 544x388

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

TDP-PO 555x388

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

TDP-PO 588x426

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

TDP-PO 650x480

Claim 28: Yes ✓ No _____

Claim 29: Yes ✓ No _____

TDP-PO 709x477

Claim 28: Yes No _____

Claim 29: Yes No _____

TDP-PO 775x516

Claim 28: Yes No _____

Claim 29: Yes No _____

Please proceed to Question No. 3.

III. Validity

Question No. 3: Has TCO AS proven by clear and convincing evidence that the following claims of the '445 Patent are invalid?

"Yes" is a finding for TCO AS. "No" is a finding for NCS.

Claim 28: Yes _____ No ✓

Claim 29: Yes _____ No ✓

Please proceed to Question 4.

IV. Damages

Answer the following question if there is at least one claim of the '445 Patent for which you answered "Yes" in Question 1 or if there is at least one claim of the '445 Patent for which you answered "Yes" in Question 2, and for at least one of those claims you answered "No" in Question 3. In answering the Question below, provide a numerical amount in the blank space.

Question No. 4:

What is the amount of damages you find NCS has proven by a preponderance of the evidence that would compensate NCS for TCO AS's infringement of the '445 Patent?

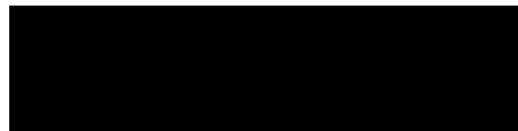
\$ 1,928,400.00

Please proceed to final page.

V. End of Verdict Form

You have now reached the end of the Verdict Form and should review it to ensure it accurately reflects your unanimous determinations. The Jury Foreperson should then sign and date the Verdict Form in the spaces below. Once this is done, notify the Court Security Officer that you have reached a verdict. The Jury Foreperson should keep the Verdict Form and bring it when the jury is brought back into the courtroom.

Signed this 26 day of August, 2022.



Jury Foreperson